G. R. S. IX-5]

Previous references.

1900-01

~~1921~~.

(5th)

File No. 60-00

Serial Nos. 1-7

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-7

Part B for December 1903

SUBJECT.

Question of the pension of Mr. B. Ramaswami Iyer, Retired Extra asst. Commissioner.

Mr. B. Ramaswami Iyer, Retd: asst. Commr.

A no. 1036 dated 7-12-1903

Informing that he cannot be shown the benefit of the three years' average such as he was retired prior to the date of the order.

WD 2223—GPB—20,000—14-6-20

Continued

Office note

Ref:- Petition Rep? No. 9249 Pta/22,
Dt 15th Febry/21 from Mr.
B. Ramaswamy Ayyr,
late Asst Comm-, praying
for the grant of
an addl pension -

— " —.

The total No. service put
in by Mr Ramaswamy
Ayyr amounted to 32-11-5
22-8-1
for which a pension of
Rs 114-12-7 per mensem
was sanctioned to him
in Govt Proc. No 1045 B-60
R-Ft 130-95,
calculated at 22/60 ths of
the average emoluments
drawn by him during
the last 5 years of his
service. Now in the petn
under reply he states
that his service of 8 months
was ignored and prays
for the grant of an

Serial No 94

addl pension of Rs 4/- odd
for the omitted service.
In support of this prayer
he cites the case of one
Mr. B. Srinivasa Rao
late Asst Conservator
of Forests in whose case
Govt has condoned
a deficiency of 10 months
and 27 days' service to
make up 25 years and
granted him full pension
of Rs 93/13/6, for there
was besides the Offg
qualifying service, the
marginally noted ~~non~~
~~qualifying~~ services
paid from the General
but not counting towards pension
Revenues, which author-
-ized the Govt to
condone the deficiency
in question under clause
2 of Art 27 5 A of the Mtl Regs.

Service under 20 yrs qualg } 9-00-05
- 3-11-12

Service after the date of Medl certificate } 0-0-3
3-11-15

But in the case of Mr. K. Ramaswamy Iyer his whole service amounts only to 22-8-1. There is no service which was omitted to be calculated not counting towards pension as ~~non-qualifying~~. The deficiency required to make up 22 yrs 9 months 3 months is the period which the Govt may in all cases condone in qualifying service under cl 1 of the said Article of the Regulations Again it is true that the Petr's service of 8 months was ignored when his pension was calculated under art 320(b) of the said Rules only ~~years~~ years of completed service are taken into account for calculating the pension and not a portion of a year.

Submitted for orders
with copies of act
Hon. Asst. Regs. reports
herein.

28/2/01

Sub. Secy.

The 2 cases are dissimilar
W. Ramaswamy's applica-
tion for an enhanced pension
is not supported by rules

for
4/3/01

Asstt. Secy.

Submitted.
I do not think the
memo: are entitled to
circulation.
6/3/01

Pd. 6/3/01
10½

The Comptroller may
perhaps be consulted
as to whether the deficiency
of 4 months may be condoned

Mysore
2nd March
1901

Sub Asst Secy
for Secy
Before Hon 23/3/01

(Process in Court.)

Submitted the Comptrs
reply No. 5828 dated
8th May/01 in which
it is said that under
art 275 A(i) of the Mysore
Service Regns the Govt
can condone a de-
ficiency of 3 months
only in qualifying
service - But the defi
ciency in the case of
Mr. Annaswamy Iyer
exceeds to 3 months and
29 days as pointed out
in the 3rd para of the
above office note.

bg
16/5/01.

Article 480 of the Mysore
Service Regulations runs as
follows:—

"When special circumstances
"appear to justify a departure
"from the rules laid down
"regarding ordinary pensions,
"the Government may grant

" an arbitrarily fixed sum
" rather than any exact proportion
" of the amount to which it
" might be supposed that the
" rules afford a claim.

The point for consideration is whether the benefit of this article could be extended to Mr. Ramaswamy Iyer & a lump sum pension of Rs 118-0-0 granted to him ~~xxxxx~~ having regard to the unfortunate circumstances under which he was compelled to retire and the short period × (to make up 23 years) viz 29 days ^ which cannot under the ~~xxxxxxxxx~~ rules be condoned to entitle him to an enhanced pension ~~of Rs~~ of about Rs 119/- per mensem

R. Q. P.

Pension already sanctioned — 114-12-7

Lump sum — 118-0-0

Difference — 3-3-5

× in addn to the 3 months allowed by the Rules as stated by the Comptroller

Submitted to Secretary for orders

To the 3rd Councillor.

19/5/1901

19/5/1901

Read 22/5/07 (5)

I Mr Ramaswamy's case is not analogous to Mr Ramaswamy Iyer's case 275-A/275 A as my ~~xxx~~ application to the latter's case to ~~xx~~ condone a very unfortunate ~~xxx~~ and the question is whether there are any special circumstances & grounds in support of any of the rules for condonation

(Vide sec 450.)
M.P.C.

28440

The matter to the Surveyor
one — Mr Lee talked
about this with Mr
Councillor — and the
addition may be a
special case to be
considered & this
point the III Councillor
will agree

30.XII.07

To the III Councillor

Agreed
5/1/08
SJ
Mr R Lyons Jnr
Ch 7/20/118 Jo. 24 as
a special case
5/1/08 EJ

Solicitor notified
accdly RH 6/1/08

Ofh and
DMB
8/1/08

Memo continued

Orders were issued accordingly (Please see Govt Pro: No 11769-70 dt PLA 818 17-1-02)

Now Mr B. Ramaswami Iyer has addressed a petition to Govt in which he prays that a pension calculated on the last three years' average emoluments be sanctioned to him instead of the one already sanctioned calculated on the last 5 years' average

It is submitted that Mr B. Ramaswami Iyer was retired in September 1897 and granted a pension in Feby 1898 i.e long before the introduction of the three years' rule. The Extra-Asst Commrs Messrs K. Ramanujeengar, M. Ramachandra Rao and Narayaneengar, who have

have been merely retired and pensioned before the introduction of the three years' rule have not been given the benefit of the concession of the three years average. (Rule See Govt Order No: 7078-96 DA 510 dt. 8-11-02). Both the Deccan has however ordered that he would consider about their cases separately when a comparative statement of pensions is submitted The comparative Statt has been sent and is pending orders.

Flag A

× ~~with the Statt~~ is in ~~for No. I~~ form.

Statt
DMB
11/12/02

DB
13/12/1902

S.A. 60-00

9249
21/2/01
P+A 12/2+

His Excellency
P P Madhava Row
B.A.
2nd Councillor to the
Government of Mysore
Bangalore

To Secretary -
Sent to Standing
Order, the Petition
should have been addressed
to the Secretary -
But please see
what we can help
the Petitioner there
and let us know
what is done
with this.

The humble petition of
B. Ramaswamy Iyengar retired Assistant
Commissioner, Bangalore District

Most respectfully sheweth,

That petitioner who was
P+A 12/2 for an Assistant Commissioner of 2nd class
Put up 21/2 (Rs 400 per mensem) and was serving
20/2/01 in the Bangalore District was retired
in September 1897 under Government
orders, and was granted an invalid
pension of Rs 114-12-7 per mensem

2 That the monthly pension
of Rs 114-12-7 has been based

on a service of 22 years only,
although petitioner has put in a
service of 22 years 8 months
Vide Order of Government Proceedings
No [illegible] dated Bangalore
24th February 1898 herewith
submitted.

2. That in consequence of this
rejection of 8 months, of service, petitioner
has suffered a reduction in the amount
of his pension of about 1, Rs a month.

3. That in the case of numerous
pensioners Government Have, under
the Superior Service Regulations article
27 clauses 1, 2, and 3, condoned
deficiencies of service for different
periods, whereas in the case of Your
Excellency's humble petitioner a
portion of the period of service actually
rendered by him viz 8 months has
been omitted. Vide Copy of

Government Order in the case of Mr. Sreenevasa Row Retired Assistant Conservator of Forests No. 116-11-12 P&A 982 dated 14th April 1899 herewith submitted.

5 That under the foregoing circumstances, petitioner most humbly & respectfully solicits, through Your Excellency, that Government will be graciously pleased to direct the Grant of a small additional pension of Rs. 4 odd for the eight months of service rendered by him, along with the arrears of this pension due thereon from the date of retirement.

For which act of clemency and benevolence on the part of the Superior

Proceedings of the Government
of Mysore
Pension and allowance Branch

Read –

Letter No 5573 / P&A 506 dated
11th February 1898 from the
Comptroller to the Government of
Mysore.

Order thereon No 10450-60 / Rv 7130-95
dated Bangalore 26th February
1898.

Under the authority of Govern.t
Proceedings No 3146-47 / R 7130-95 dated
22nd September 1897 and under
the provisions of article 320 (b)
of the Mysore Service Regulations
the Government of Mysore ancho.

the payment of a superior
invalid pension of Rs. (114-12-7)
one hundred & fourteen annas
twelve and Pies seven only per
mensem to Mr. B. Ramaswamy Iyer
B.A. late assistant Commissioner
Bangalore District with effect
from 25th September 1897 in
consideration of a qualifying
service of 22 years 8 months
& 1 day rendered by him, the
amount of pension being debited
to General Revenues

Signed Ui. Chandrasekara Iyer
for Secretary

To The Comptroller to the Government
of Mysore with copy of the
1st page of the Pension application
The Deputy Commissioner Bangalore District
w.r.t. B Ramaswamy Iyer B.A. for information

Proceedings of the Government
of Mysore

Read

Government Proceedings No
116-11-121 P & A 982 dated 14th
April 1899 sanctioning the
payment of an invalid —
Inferior pension of Rs 7.5-1-3
per mensem to Mr Belletere.
Greeneas Rew late Assistant
Conservator of Forests Mysore
Forest Deptt with effect from 8th
June 1898 in Consideration of
a qualifying service of 24 years
1 month & 13 days rendered by
him

2 Letter No 3895/156 dated 25th
May 1900 from the Conservator
of Forests in Mysore submitting
for orders a representation from

the Board relied a bill(unreadable)
Guruville on banneement of the
pension & reporting fully in the
case

Order therein dtd 13/3/14 Bengalee
PDR 115

28th July 1900

~~Order therein dtd 13/3/14 Bengalee~~
~~PDR 115~~

It is observed that
excluding the period of 1 year
421 days during which he was
on leave on medical certificate
exceed excluding also the non-qualifying

Service under 20 years of age	3-11-12	Service noted in the margin
Service after the date of medical certificate	3	the total
	3-11-15	period

of qualifying service put in
by Mr B. Greenaway Rev amounting
to 24 years 1 month & 3 days
which entitled him to a pension

of Rs 75-1-3 computed at $\frac{24}{60}$ ths
on the average emoluments drawn
during the last 5 years of service
& the same was on the report of
the Comptroller sanctioned in the
Proceedings read above Under
the circumstances now brought
to notice by the Conservator the
Government are pleased to condone
the small deficiency of 10 months
+27 days required to complete
25 years & direct that the same
may be made good from his
Sreenivasa Rao's under age
Service under Clause 2 of
Article 275 A of the Mysore
Service Regulations. The pay-
-ment to him of a full pension

Q. No (93-13 6) ninety three
acres fourteen perches only
for which computed at 30/- th
on the last 5 years average
assessments is accordingly
remitted with effect from
2nd June 1898 The difference
of rupees that may be due
upto date under this order will
be paid by him

Signed L. Amunthaswamy
for Secretary

Q.L. 457/150 Office of the Conservator
of Forests
Dated Bangalore 1st August
1900

Copy of the above is Communicated
to Mr R. Greenaway Raw for in-
formation with reference to his
application dated 18th April last

Signed Greenaway
for Conservator
of Forests

"True Copies"
for Conservator of Forests
Colombo 9th Bangalore

190/ (3)

From

THE SECY. TO THE GOVT. OF MYSORE,
GEN. & REV. DEPTS.

To

The Comptroller
to the Govt of Mysore

Dated

Despatched 29/3/1901

Received

General No. 12784
Pay No. 1219

Enclosure No. 1

Refer Regd. No. 9249 of
Pay 1221
15th Feby last from Mr.
B. Ramaswamy Iyer
late Asst Commr stating
that on his retirement
from Govt. service of 22-8-1 a
service of 8 months odd was
ignored and praying
for the grant of an
add'l pension of Rs 4/-
p.m. in lieu of the
ignored service

Adverting to the above,
has the Hon'ble Dewan
MGCPB—23-1-01—3,500
that the Comptroller
will be pleased to

favour forwd with his
opinion as to whether
the deficiency of 4 months
to make up full 23 years in the case of Mr. B. Ramaswamy Ayyar
may be condoned, and
as to forward the pension
appl.n of the petitioner
for reference and obliging
return with the reply.

By order,

Dy.

Secretary

24/3/01.

No. 5828

OFFICE OF THE COMPTROLLER OF MYSORE.

Bangalore, 8th May 1901.

From

E. R. SUBRAYER, Esq.,

Comptroller, Mysore Government.

To

The Secretary to the Govt. of Mysore,

General and Revenue *Dept.*

SIR,

With reference to your docket No.12784/1219 of the 29th Ultimo requesting my opinion as to whether the deficiency of 4 months to make up the full 23 years in the service of Mr. B.Ramasawmy Iyer retired Assistant Commissioner may be condoned I have the honor to state that under Article 275 A (1) of the Mysore Service Regulations the Government can condone a deficiency of 3 months only in qualifying service.

The pension application of Mr.B.Ramasawmy Iyer is herewith returned.

I have the honor to be

Sir

Your most obedient servant

Comptroller.

V.U.C

P & A. 1653

Gen. 30] 13246 1911-5-01 1439

From OF (4)

E. R. SUBRAYER, Esq.,
Comptroller, Mysore Govt.

To

The Secretary to the Govt. of Mysore,
Rev: & Genl Dept.

Dated
Despatched May
Received
General No.
No.
Enclosure No.

In reply to

SUBJECT.

Stating that under art 275-A (1) of the Mysore Service Regulations the Govt can condone a deficiency of three months only in qualifying service. regarding service in Dr. B. Rama Swamy

References (to be entered only in the Dewan's Office).

References put up.
NK
13/5
Recd 14-5-07

S. No 94

Sett 60-00-1

Read again:

(4)

Govt Proceedings
No. 10458-60 dated 26th
R.T. 130-95
February 1898 Sanctioning
a Superior Invalid Pension
of Rs 114-12-7. p.m to
Mr. B. Ramaswami Iyer late
Asst comm. Bangalore Dt.
with effect from the 25th
September 1897.

(2) Petition Rejistered
No. 9249 dated 15th
Pett 1221
February 1901 from Mr B.
Ramaswamy Iyer praying
for the grant of an
additional pension of
Rs 41 per mensem on the ground
that a period of 3 months & 29 days has been
disallowed in his service in calculating the
pension.

No 11769/70
Pett 818
17-1-02

Order thereon

Having regard to
the unfortunate circum-
-stances under which
Mr B. Ramaswami Iyer
was compelled to retire
Government are pleased
to sanction to him as
a

A Special case, a
pension of Rs 118/- per
mensem, with effect
from 25th September 1897.

Demand and the 3rd cr's order } Dft

8/1/1902

Secretary

9/1/1902

8/1/02

To The Comptroller in Mysore
Mr B. Ramaswamy Iyer.

Submitted to Secty -
In both the Demand and the 3rd cr's order, the date from which the enhanced pension should take effect is not ~~expressly~~ given. A Draft is submitted sanctioning the enhanced pension from the date from which the pension already sanctioned was given effect to. This will give Mr B. Ramaswamy Iyer a sum of [redacted] nearly Rs 164/-

That is right

9/1

8/1/02

Reference

30.9.02

Transferred to the

Pension & Allowance

Branch.

6-10-02

17/10/02

O & A Branch

The Pension papers of the Petitioner as well as spare copies of the Proceedings quoted in the petition are put up the pension papers of the Extra Asstt. Comrs; ref 2 to have already been given to the O & A Branch with the Comptr's letter forwarding for sanction the pension papers of the said Asstt. Comrs. ref 2.

21/10

Recd 22/10.

PH-750

4196

OCT. 1902

190 2-03

No. 899

Name of Petitioner Jun B Ramaswamy Iyer.

Village Retired Asst. Comr. Bangalore Dt.

Taluk Bangalore

District

Date of Arzi 25 } -9-02

Date of Receipt 27 }

Date of Disposal

No. of Enclosure one.

ABSTRACT

This is addressed to the Secy. whom the petr. requests to forward the enclosed petn. to the Dewan. The substance of it is as follows:-

The petr. states that he personally represented to the Dewan on Monday 22nd instant that to the Extra Asst Comrs. had been extended the concession of having their

pension calculated on the average emoluments of the last three years of service, whereas the petitioners pension had been based on the average emoluments of the last 5 years in consequence of which it stood on a much reduced figure

Referring to the Govt. Proceedings No 333-98 dated 4-12-95, he further states that he belonged to a higher class of first Comrs. than the present grantees, & by virtue of having passed all the tests prescribed by Govt.

Prays that his name may be included in the list of the grantees of the average of the last 3 years of Service" concession referred to in Govt. Proce. No 2305-44 P & A 185 of 13-8-02

Asst,
31/9/02

S 17 60-12-1

No 897
Date 27-9-02

By post registered
27-9-02

1 Enclosure

H. V Narayandass Esquire
M. A. M. L.
Revenue & General Secretary
to the Mysore Government
Bangalore

899

The humble petition of B. Ramaswamy Iyer B.A Retired Assistant Commissioner of the Bangalore District.

Respectfully Sheweth,

Petitioner begs to bring to your Honor's notice that in their Proceedings No 2305-4 4 0 1 A 185, dated Bangalore 13th August 1902 Government have conceded to Extra Assistant Commissioners the privilege of having their pensions calculated on the average emoluments of the last three years

of service.

2. Petitioner humbly begs leave to submit herewith a petition addressed to His Excellency the Diwan soliciting for reasons stated therein that the concession may be extended to him.

3. Petitioner respectfully requests the favor of your Honor's forwarding the same to His Excellency with your kind & great support of his prayer contained therein.

For which act of benevolence Petitioner begs leave to remain

Your Honor's most obedient humble servant

B. Ramaswamy Iyer
retired Capt. Commdt.
Bangalore District

Bangalore
25th September
1902

To,

His Excellency
Purna Narsing Rao Krishna Murthy B.L.
C.S.I.
Dewan Bahadur
of Mysore

The humble petition of
B. Ramaswamy Iyer B.A. retired
Assistant Commissioner, Bangalore
District.

Most respectfully Sheweth,

That petitioner personally
represented to your Excellency
on Monday the 22nd instant
that the Extra Assistant Com-
missioners had been extended
the concession of having their
pension calculated on the average
emoluments of the last three years

Vide Govt.
Proceedings
No 2305-44
P.L.A 185
dated
Bangalore
13th August
1902

of service whereas petitioners pension had been based on the average emoluments of the last five years, in consequence of which it stood at a much reduced figure. Thereupon Your Excellency was graciously pleased to tell petitioner that on submission of a petition his name also would be taken on the list of the grantees of the concession.

2. In submitting in obedience to ~~your~~ orders this petition to Your Excellency, petitioner humbly begs to lay before you the following circumstances bearing on his case.

I. Petitioner by virtue of having passed all the tests prescribed by Government belonged to a higher class of assistant Commissioners than the present grantee,

of the average of three years' Conception
who having failed to obey Govern-
-ment orders in the matter of these
tests were placed by them on a se-
-parate list of Extra Assistant Com-
-missioners with salaries on a lower
scale than those for Assistant Com
-missioners Vide paras 7 & 11 of
Govt Proceedings dated Camp Mysore
4th December 1893 No 3313-98.

II. Some of the present Grantees
of the Conception were as submitted
below in detail, retired before Govern-
-ment passed their Proceedings No.
dated 17th December 1898 originally
extending the average of three years'
Conception to Assistant Commissioners
& other officers of the Mysore Civil
Service. Petitioner was retired
about the same time as two of them
Messrs M Ramchandra Rao & Narasim
Murgar. Mr K. Ramaney Mysore

was retired long before petitioner.

K.
Wr Ramanuj Iyengar was retired
in October 1895
Narana Iyengar was retired
in July 1898
M. Ramachendra Rao was retired
in February 1898
Petitioner was retired in September
1897

3 In consideration of the fore
going, petitioner most humbly and
respectfully requests that Your Excellency
will be most graciously pleased
to pass orders for including pe-
titioner's name in the list of the
Grantees of the average of the last
three years of service Concession
referred to in Govt Proceedings
No 2305-44 P.D.A 185 dated
Bangalore 13th August 1902.
For which act of benevolence, Petitioner
humbly prays leave to remain,
Your Excellency's most obedient
& dutiful servant.

Bangalore
25th September
1902

B. Ramaswamy Iyengar
Bangalore

No. Pta 1036

Govt. Gl and Rev: Secretariat

MYSORE ~~DEWAN'S OFFICE~~,

Pt A BRANCH.

Dated Bangalore 7th Decr 1903

Endorsement granted to Mr B. Ramaswami Iyer late Asst commr Bangalore Dt.

in reply to his Petition Registered No ~~899R~~ dated 25th Sept 1902 praying that the benefit of Govt Ord. No 2305-44 / Pt A 185 dd 13th August 1902 be extended to him and he be given a pension calculated on the average emoluments of the last three years of Service.

Mr. B. Ramaswami Iyer

~~Petitioner~~ is informed that as he was retired prior to the 21st December 1898, the date on which the three years' average rule was first introduced into the State, he cannot be shown the benefit of that rule which was only extended by the Govt Ord referred to by him to the cases of Extra Asst commrs who were retired subsequent to ~~21st Decr 1898 but~~ that date not before

By Order,

4/12/3

Secretary.

~~Secy~~

4/12/03

2/12/03